

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

TRAVIS HEEG, et al.,

Plaintiffs,

v.

UNITED ELECTRICAL
CONTRACTORS, INC.,

Defendant.

Case No. 2:21-cv-12112

HONORABLE STEPHEN J. MURPHY, III

**ORDER TRANSFERRING CASE TO THE UNITED STATES
DISTRICT COURT FOR THE WESTERN DISTRICT OF MICHIGAN**

Plaintiffs recently sued Defendant United Electrical Contractors for violating Michigan and Federal labor laws. ECF 1. Because venue is improper, the Court must transfer the complaint to the Western District of Michigan.

Venue for a civil action in federal court is proper in the "district in which any defendant resides" or the "district in which a substantial part of the events or omissions giving rise to the claim occurred." 28 U.S.C. § 1391(b)(1)–(2). For venue purposes, a corporation is a resident in the district where it "is subject to the court's personal jurisdiction with respect to the civil action in question." *Id.* § 1391(c)(2).

When venue is improper, the Court may, in the interests of justice, transfer the case to a district where it could have been brought. *See id.* § 1406(a). To that end, the Court may sua sponte transfer a case based on improper venue. *Carver v. Knox Cnty., Tenn.*, 887 F.2d 1287, 1291 (6th Cir. 1989).

Here, the complaint alleged that Defendant resides in Lansing, Michigan. ECF 1, PgID 5. Lansing is in Ingham County, which is part of the United States District Court for the Western District of Michigan. 28 U.S.C. § 102(b). The United States District Court for the Western District of Michigan is therefore the appropriate and more convenient forum for the action.

Beyond Defendant's residence, it appears that most of the relevant events occurred in the Western District of Michigan. The eight Plaintiffs reside in the following Michigan localities: Webberville, Bath, East Lansing, Ypsilanti, Byron, Perry, Lansing, and Portland. ECF 1. PgID 4–5. Bath is in Clinton County; East Lansing, Lansing, and Webberville are in Ingham County; and Portland is in Ionia County; all of which are in the Western District. § 102(b). Ypsilanti is in Washtenaw County, and Byron and Perry are in Shiawassee County, both of which are in the Eastern District of Michigan. *Id.* § 102(a). Thus, more than half of the Plaintiffs reside in the Western District. Again, the Western District of Michigan is the more appropriate forum for the action. In the interests of justice, the Court will exercise its discretion and transfer the case to that district for further consideration. *See id.* § 1406(a).

WHEREFORE, it is hereby **ORDERED** that the Clerk of the Court must **TRANSFER** the case to the United States District Court for the Western District of Michigan under 28 U.S.C. § 1406(a).

SO ORDERED.

s/ Stephen J. Murphy, III
STEPHEN J. MURPHY, III
United States District Judge

Dated: September 14, 2021

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on September 14, 2021, by electronic and/or ordinary mail.

s/ David P. Parker
Case Manager